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BEFORE THE ARIZONA CORPORATIO

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Arizona Corporation Commissioner

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OCT 29 2012

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COMMISSIONERS

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

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AZ CORP COMMISSION
DOCKET CONTROL

In the matter of:

DOCKET NO. S-20844A-12-0122

SEED CORPORATION, an Arizona
Corporation dissolved by administrative
action;

RANDALL DUANE SIMONSON and
MARILYN J. SIMONSON, husband and
wife; and

KARL HENRY REHBERG AKA SHAWN
PIERCE, and HELEN REHBERG AKA
LISA PIERCE, husband and wife;

Respondents.

FOURTH
PROCEDURAL ORDER
(Revises Hearing Schedule)

BY THE COMMISSION:

On March 30, 2012, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against SEED Corporation ("SEED"), Randall Duane Simonson and Marilyn J. Simonson, husband and wife, and Karl Henry Rehberg aka Shawn Pierce, and Helen Rehberg aka Lisa Pierce, husband and wife (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of stock and notes.

The Respondent Spouses, Marilyn J. Simonson and Helen Rehberg aka Lisa Pierce, were joined in the action for the purpose of determining the liability of the marital communities pursuant to A.R.S. § 44-2031(C).

The Respondents were duly served with copies of the Notice.

On April 13, 2012, Respondents Randall Duane Simonson and Marilyn J. Simonson filed a request for hearing in this matter.

1 On April 23, 2012, by Procedural Order, a pre-hearing conference was scheduled on May 9,
2 2012, in response to the Simonsons' request for hearing.

3 On May 3, 2012, Respondents Karl Henry Rehberg and Helen Rehberg filed requests for
4 hearing in this matter.

5 On May 7, 2012, by Procedural Order, a second pre-hearing conference was scheduled on
6 May 30, 2012, in response to the Rehbergs' requests for hearing.

7 On May 9 and May 30, 2012, the pre-hearing conferences were held as scheduled. The
8 Division appeared with counsel and the Simonson Respondents appeared on their own behalf at the
9 May 9, 2012, pre-hearing conference and the parties indicated they were discussing a possible
10 settlement with respect to the Simonson Respondents.

11 On May 30, 2012, at the second pre-hearing conference scheduled in response to the
12 Rehbergs' requests for a hearing, the Division appeared with counsel and Mr. Simonson appeared on
13 his own behalf. The Rehbergs did not appear. The Division and the Simonsons were continuing their
14 discussions, but in the interim the Division requested that a hearing be scheduled.

15 On May 31, 2012, by Procedural Order, a hearing was scheduled to commence on November
16 13, 2012, with additional days of hearing on November 26, 27, 28, 29 and 30, 2012.

17 On October 29, 2012, it was determined that a scheduling conflict had arisen with the
18 scheduled commencement of the proceeding on November 13, 2012, and it will be necessary to
19 reschedule the commencement of the proceeding from November 13, 2012, to November 26, 2012.

20 Accordingly, the hearing schedule should be revised.

21 IT IS THEREFORE ORDERED that the **hearing scheduled to commence on November 13,**
22 **2012, shall be vacated.**

23 IT IS FURTHER ORDERED that the **hearing** shall commence on **November 26, 2012, at**
24 **10:00 a.m.,** at the Commission's offices, 1200 West Washington Street, Hearing Room No. 1,
25 Phoenix, Arizona.

26 IT IS FURTHER ORDERED that the parties shall also reserve **November 27, 28, 29 and 30,**
27 **2012, for additional days of hearing,** if necessary.

28 **IT IS FURTHER ORDERED that if the parties reach a resolution of the issues raised in**

1 **the Notice prior to the hearing, the Division shall file a Motion to Vacate the proceeding.**

2 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
3 Communications) is in effect and shall remain in effect until the Commission's Decision in this
4 matter is final and non-appealable.

5 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
6 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission
7 *pro hac vice*.

8 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
9 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
10 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
11 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
12 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
13 Administrative Law Judge or the Commission.

14 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,
15 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
16 ruling at hearing.

17 DATED this 29TH day of October, 2012.

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19
20 
21 MARC E. STERN
22 ADMINISTRATIVE LAW JUDGE
23

24 Copies of the foregoing mailed/delivered
25 this 29th day of October, 2012 to:

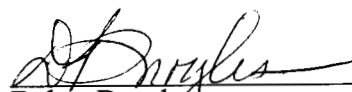
26 Randall Duane Simonson
27 Marilyn J. Simonson
28 SEED CORPORATION
10239 East Happy Valley Road
Scottsdale, AZ 85255-2326

1 Karl Henry Rehberg
2 Helen Rehberg
3 7848 Sonoma Springs Circle, Apt. 108
4 Lake Worth, FL 33463-7939

5 Matt Neubert, Director
6 Securities Division
7 ARIZONA CORPORATION COMMISSION
8 1300 West Washington Street
9 Phoenix, AZ 85007

10 ARIZONA REPORTING SERVICE, INC.
11 2200 North Central Avenue, Suite 502
12 Phoenix, AZ 85004-1481

13 By:

14 
15 Debra Broyles
16 Secretary to Marc E. Stern
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